



40047A

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CHARLES D. KOWNACKI ET AL.

Serial No.: 10/026,674

Filed: December 27, 2001

For: PNEUMATIC ENGINE

RECEIVED

NOV 27 2002

OFFICE OF PETITIONS

PETITION UNDER 37 C.F.R. §1.47(a)

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. §1.47(a), applicants Charles D. Kownacki and Jeffrey Rehkemper request that the filing of the above-identified application be complete without a declaration under 37 C.F.R. §1.63 signed by co-inventor Ronnen Harary, since Mr. Harary is unavailable to join in the application.

In support of this declaration, submitted herewith are (1) a check in the amount of \$130.00 for the required fee under 37 C.F.R. §1.17(h), and (2) a declaration of Jeffrey J. Howell establishing the pertinent facts and circumstances which show that Mr. Harary cannot be located after diligent effort.

Mr. Harary's last known residence address is 17 Well Street Toronto, Ontario, Canada M5R 1N9.

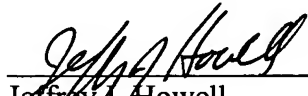
10/10/2002 GGBREGI 00000078 182220 10026674

03 FC:122

130.00 OP

In view of the foregoing it is respectfully requested that this application be accepted under the provisions of 37 C.F.R. §1.47(a), and that it be accorded the filing date of December 27, 2001.

Respectfully submitted,

  
\_\_\_\_\_  
Jeffrey J. Howell  
Reg. No. 46,402  
Attorney for Applicants

Roylance, Abrams, Berdo & Goodman, L.L.P.  
1300 19<sup>th</sup> Street, N.W., Suite 600  
Washington, D.C. 20036-1649  
(202) 659-9076

Dated: October 8, 2002

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/026,674	12/27/2001	Charles D. Kowanacki	40047A

CONFIRMATION NO. 7082

001609  
ROYLANCE, ABRAMS, BERRO & GOODMAN, L.L.P.  
1300 19TH STREET, N.W.  
SUITE 600  
WASHINGTON,, DC 20036

## FORMALITIES LETTER



\*OC000000007603221\*

Date Mailed: 03/08/2002

## NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

*Filing Date Granted*

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$360.
  - \$108 for 6 total claims over 20.
  - \$252 for 3 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1230.**

10/10/2002 GGEBREGI 00000078 182220 10026674

01 FC:105 130.00 DP

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/10/2002 GGEBREGI 00000078 182220 10026674

04 FC:108 740.00 DP  
05 FC:109 252.00 DP  
03 FC:110 35.00 CH 73.00 DP



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

Application Number: 10/026674  
Attachment to Paper No.:

REISSUE SUPPLEMENT  
NOTICE TO FILE MISSING PARTS OF APPLICATION

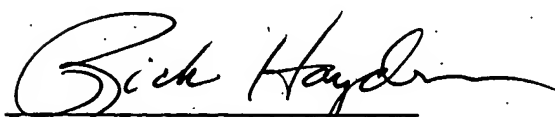
This Reissue Supplement is an attachment to:

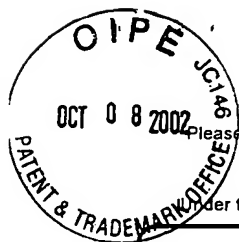
- ☒ "Notice to File Missing Parts of Application" Filing Date Granted  
☐ "Notice of Incomplete Application" No filing Date Granted

The item(s) indicated below as missing must be filed within the period for reply set on the attached form to avoid abandonment.

Correction of the following is required to complete the reissue application:

- ☐ 1. The reissue specification has not been provided in double-column format as is required by 37 CFR 1.173(a)(1).
- ☐ 2. Consent of the assignee is missing. 37 CFR 1.172 requires that the reissue oath/declaration be accompanied by the written consent of all assignees.
- ☒ 3. Consent of the assignee is present, but is unsigned. A statement of consent bearing the signature of an official authorized to act on behalf of the assignee(s) must be provided.
- ☐ 4. Assignee's statement under 37 CFR 3.73(b) establishing ownership of the patent is missing. 37 CFR 1.72 requires that all assignees consenting to the reissue establish their ownership interest in the patent by filing in the reissue application a statement in accordance with 37 CFR 3.73(b). See MPEP Sec. 324.
- ☒ 5. Assignee's statement under 37 CFR 3.73(b) is present, but is unsigned. A 37 CFR 3.73(b) statement bearing the signature of an official authorized to act on behalf of the assignee must be provided.

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202



Please, type a plus sign (+) inside this box → ☐

MP/Reissue

PTO/SB/50 (08-00)  
Approved for use through 12/30/2000. OMB 0651-0033  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## REISSUE PATENT APPLICATION TRANSMITTAL

101026674

<b>Address to:</b>  <b>Assistant Commissioner for Patents</b> <b>Box Reissue</b> <b>Washington, DC 20231</b>	<b>Attorney Docket No.</b>	40047A
	<b>First Named Inventor</b>	Charles D. Kownacki
	<b>Original Patent Number</b>	6.006.517
	<b>Original Patent Issue Date</b> (Month/Day/Year)	12/28/99
	<b>Express Mail Label No.</b>	

**APPLICATION FOR REISSUE OF:**  
(Check applicable box)



Utility Patent



Design Patent



Plant Patent

### APPLICATION ELEMENTS (37 CFR 1.173)

1. ☒ Fee Transmittal Form (PTO/SB/56)  
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status. See 37 CFR 1.27.
3. ☐ Specification and Claims in double column copy of patent format (amended, if appropriate)
4. ☐ Drawing(s) (proposed amendments, if appropriate)
5. ☒ Reissue Oath/Declaration (original or copy)  
(37 C.F.R. § 1.175) (PTO/SB/51 or 52)
6. Original U.S. Patent currently assigned?  
☒ Yes ☐ No  
(If Yes, check applicable box(es))  
☒ Written Consent of all Assignees (PTO/SB/53)  
☒ 37 C.F.R. § 3.73(b) Statement (PTO/SB/96)

Adjustment date: 01/15/2003  
10/10/2002 GGBREGI 00000078  
01 FC:1051  
Adjustment date: 01/15/2003  
10/10/2002 GGBREGI 00000078  
02 FC:1252  
Adjustment date: 01/15/2003  
10/10/2002 GGBREGI 00000078  
04 FC:1034  
05 FC:1201  
Power of Attorney  
35.00 CR

### ACCOMPANYING APPLICATION PARTS

7. ☐ Statement of status/support for all changes to the claims. See 37 CFR 1.173 (c).
8. ☐ Original U.S. Patent for surrender  
☐ Ribboned Original Patent Grant  
☐ Statement of Loss (PTO/SB/55)
9. ☐ Foreign Priority Claim (35 U.S.C. 119) (if applicable)
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ English Translation of Reissue Oath/Declaration (if applicable)
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)  
Petition Under 37 C.F.R. § 1.47(a)  
Declaration of Jeffrey J. Howell

### 15. CORRESPONDENCE ADDRESS



Customer Number or Bar Code Label

001609



Correspondence address below

<b>Name</b>	Jeffrey J. Howell				
	Roylance, Abrams, Berdo & Goodman, L.L.P.				
<b>Address</b>	1300 19th Street, N.W. Suite 600				
<b>City</b>	Washington	<b>State</b>	D.C.	<b>Zip Code</b>	20036
<b>Country</b>	USA	<b>Telephone</b>	(202) 659-9076	<b>Fax</b>	(202) 659-9344

<b>NAME</b> (Print/Type)	Jeffrey J. Howell	<b>Registration No. (Attorney/Agent)</b>	46,402
<b>Signature</b>	<i>Jeffrey J. Howell</i>	<b>Date</b>	October 8, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Reissue, Washington, DC 20231.



PTO/SB/56 (08-00)

Approved for use through 12/30/2000. OMB 0651-0033  
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REISSUE APPLICATION FEE TRANSMITTAL FORM						Docket Number (Optional) 40047A		
Claims as Filed - Part 1								
Claims in Patent		Number Filed in Reissue Application	(3) Number Extra	Small Entity		Other than a Small Entity		
				Rate	Fee	Rate	Fee	
(A) 10	Total Claims (37 CFR 1.16(j))	(B) 26	**** 6 =	x \$ 9 =	54	or	x \$ =	
(C) 3	Independent claims (37 CFR 1.16(i))	(D) 6	* 3 =	x \$ 42 =	126		x \$ =	
Basic Fee (37 CFR 1.16(h))					\$ 370			\$
Total Filing Fee					\$ 550	OR	\$	
Claims as Amended - Part 2								
	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		Other than a Small Entity	
					Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(i))	***	MINUS	**	*	=	x \$ =		x \$ =
Independent Claims (37 CFR 1.16(i))	***	MINUS	*****	=	=	x \$ =		x \$ =
Total Additional Fee					\$	OR	\$	
<p>* If the entry in (D) is less than the entry in (C), Write "0" in column 3.</p> <p>** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.</p> <p>*** After any cancellation of claims.</p> <p>**** If "A" is greater than 20, use (B - A); if "A" is 20 or less, use (B - 20).</p> <p>***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. 18-2220. A duplicate copy of this sheet is enclosed.</p> <p><input checked="" type="checkbox"/> A check in the amount of \$ 1725.00 to cover the filing fee, surcharge, extension of time and additional claim fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p>								
10/8/02								
Date								
		Jeffrey J. Howell						
		Typed or printed name						

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